

To Mrs Aguirre, Jeanine Gettle and Mr Kelly Laycock 12/17/2020

My name is Eric Kimmel I am friends with some of the Miccosukee Tribe of Indians of Florida and as well as being friends have worked with a few on various causes and concerns around the BICY and neighboring lands.

I am disappointed to learn the EPA has denied Miccosukee Government to Government consultation regarding tribal concerns with the assumption of 404 permits by the state of Florida.

While this may be a legal maneuver or technicality to bypass legitimate concerns. There is no grey area this is an assault on their ability to continue as a tribe and their cultures future. Adding insult to injury the EPA did not give notice that they will allow this to happen to the Tribe until the day before the decision.

The EPA, the State of Florida and the Feds appear to be planning to take away indigenous lands and territory with the use of the 404 permitting process by the State. By pulling this maneuver it gives the ACoE the ability to alter or take away what is Indian Country or Territory.

The EPA is violating the rules required by federal agencies to consult with the Tribe. Email and PH call exchanges do not equal government to government counsel.

Allowing the ACoE or the EPA to abdicate their trust responsibilities and allow the state to take over and not honor the Federal Governments multiple agreements is as corrupt as it gets using the EPA as a means to violate trust, and their codified rights within the BICY and RNP, the lease lands that were by law to be treated as a Federal Indian Reservation. This also I believe violates the settlement and consent decrees between the Miccosukee Tribe and the State of Florida

The Miccosukee Tribe has fought hard, continues to do so, and has sued the state and federal government to protect their rights and lands. Resulting in the settlement agreement and consent decrees between the Miccosukee Tribe and the State of Florida.

As a lifetime resident of South Florida growing up in the Gladesman culture learning and enjoying our natural lands I support the Miccosukee Tribes concerns. From the time I was in elementary school I have heard their stories of the never-ending war that the United States will continue to keep trying to eradicate all of the indigenous peoples by any means necessary.

I ask that the EPA formally consult with the Tribe.

I ask that the EPS not grant Florida the assumption of the 404 permitting within Federal Jurisdiction and remain with the ACoE

2) To not grant the State of Florida assumption of 404 permitting within Federal Jurisdictions, but remain with the Army Corps of Engineers as these are federal lands.

Thank You for consideration of my comments

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